

COMMONWEALTH OF VIRGINIA



Riparian Buffer Initiative

FIRST ANNUAL PROGRESS REPORT

November 1999

Virginia Department of Forestry

Secretariat of Commerce and Trade

EXECUTIVE SUMMARY

In October, 1994, the Chesapeake Bay Executive Council adopted Directive 94-1, which called upon the Chesapeake Bay Program to develop a policy which would enhance riparian stewardship and efforts to conserve and restore riparian forest buffers. The Council appointed a 31-member panel composed of government, scientific, industrial and environmental interests. Virginia's State Forester chaired the panel and submitted the final report to the council for consideration. The Council adopted the recommendations of the panel October 10, 1996 with the stated goal "to increase the use of all riparian buffers and restore riparian forest on 2,010 miles of streams and shoreline in the watershed by 2010, targeting efforts where they will be of greatest value to water quality and living resources". Governor George Allen committed to 610 miles in Virginia as part of this initiative. Upon taking office, January 1, 1998, Governor Jim Gilmore has renewed the commitment and has enhanced Virginia's efforts with a clear focus, provided needed resources and developed innovative approaches to ensure positive results.

Governor Gilmore's Implementation Plan established a Riparian Working Group chaired by the State Forester and listed six major objectives:

- 1) Restore missing or inadequate buffers
- 2) Conserve existing buffers
- 3) Enhance program coordination and accountability
- 4) Enhance incentives
- 5) Promote education and outreach
- 6) Target, track, and conduct research

The following major accomplishments have been achieved during the first year:

- Completion of Executive Order #48 from Governor Gilmore entitled "Preserving Water Quality in the Chesapeake Bay Through the Establishment of Riparian Buffers Along Streams Throughout the Commonwealth"
- The establishment of 135.2 miles of riparian forest buffer in the Chesapeake Bay watershed and a total of 157.4 miles for the state
- Utilization of the riparian buffer theme for natural resource agencies for the State Fair and Fall River Renaissance
- The signing of a Memorandum of Agreement (MOA) with the Environmental Alliance for Senior Involvement (EASI) for assistance with the riparian initiative
- The signing of a Memorandum of Agreement with *American Forests* to use their Stream ReLeaf logo for identifying and marketing the riparian initiative

HISTORICAL PERSPECTIVE

The Chesapeake Bay Program convened a Riparian Forest Buffer Panel in 1994. The multi-jurisdictional panel was charged with developing policy to enhance conservation and restoration of riparian forest buffers in the Bay watershed. For two years, the 31 member panel met regularly and developed goals and recommendations. In October 1996, the Chesapeake Bay Executive Council adopted these goals for member states and federal agencies:

- To assure, to the extent feasible, that all streams and shorelines will be protected by a forested or other riparian buffer
- To conserve and manage existing forests along all streams and shorelines
- To increase the use of all types of riparian buffers and restore riparian forests on 2,010 miles of stream shoreline in the watershed by 2010, targeting efforts where they will be of greater value to water quality and living resources

Also, the Executive Council adopted five policy recommendations:

- Enhance program coordination and accountability
- Promote private sector involvement
- Enhance incentives
- Support research, monitoring, and technology transfer
- Promote education and information

Each Bay Program partner agreed to develop an implementation plan for their respective Governor by June 30, 1998, including benchmarks on how these goals and recommendations will be met.

The *Virginia Riparian Forest Buffer Panel* was originally convened by the Secretary of Natural Resources during the 1994 Chesapeake Bay Riparian Forest Buffer Panel process to consider the Virginia landowner perspective. The Secretary reassembled this group in spring 1997.

The panel met regularly for a year to develop this plan. A stakeholder meeting, involving representatives of close to 40 Virginia agencies and private organizations, was held in October 1997 to refine strategies. The panel created a draft implementation plan and conducted five public meetings around the state in March and April of 1998. Comments received were incorporated into the final plan.

This implementation plan reaffirmed Virginia's pledge to restore the Chesapeake Bay watershed. Both the public and private sectors have been involved in this significant endeavor.

FIRST YEAR STATUS RESULTS

The following shows the accomplishments to date as listed in the Virginia's Implementation Plan. These accomplishments are broken down by the six major objectives as listed in the Executive Summary with only those objectives with benchmark dates in 1999 shown.

RESTORE MISSING OR INADEQUATE BUFFERS

Establish education outreach to volunteer groups

- Review existing public information: *Accomplished July 1999 in preparation for the State Fair and Fall River Renaissance*
- Complete survey of organizations: *Partially Accomplished in July 1999 in preparation for State Fair and Fall River Renaissance*
- Include materials in information and training: *Accomplished May and July 1999*

Provide Sufficient Planting Stock

- Discuss with State and Private Nurseries: *Accomplished in January 1999. Article to be included in Nurseryman's magazine.*
- Develop timetable for providing planting stock: *Accomplished in June 1999 with Department of Forestry Nursery staff with agreement for 30% increase in total planting stock for Year 2000 season.*

CONSERVE RIPARIAN BUFFERS

Identify Riparian Buffers in easements held by Land Trusts and Conservancies

- Survey to identify Land Trusts/Conservancies: *Partially Accomplished in August and September 1999. Some contacts have been made directly with Land Trusts/Conservancies plus working with Virginia Economic Development Partnership to incorporate Geographic Information Systems (GIS) into this survey.*
- Review typical easement language and develop model language about riparian buffers: *Accomplished in May 1999 by Governor Gilmore's initiative and passage of the Water Quality Improvement Act (WQIA).*
- Determine riparian buffers in easements due to local government tax breaks: *Accomplished in May 1999 by Department of Forestry. No reported easements have been identified due to local government tax incentives.*
- Establish an appropriate tracking mechanism: *Partially accomplished in September 1999 with the development of an Excel database.*
- Determine riparian buffers in easements through USDA programs: *Not accomplished as of September 1999.*

Establish education/outreach to volunteer groups

- Review existing public information: *Partially Accomplished in July 1999 for State Fair and Fall River Renaissance. Need to examine Development Community for information sources.*
- Complete a survey of organizations: *Partially Accomplished in July 1999 in preparation for State Fair and Fall River Renaissance.*
- Include materials in information and training: *Accomplished in August 1999 for all previous in-house and inter-agency training sessions and workshops. For example, the Piedmont Environmental Council's field day at Montpelier held 2 separate sessions on conservation of riparian lands within Virginia.*
- Coordinate goals and priorities with state and local integrated watershed management programs: *Partially Accomplished in September 1999 with information to all Tributary Strategy documents, Save Our Streams program, and some several local river associations.*

ENHANCE PROGRAM COORDINATION AND ACCOUNTABILITY

- Establish a Virginia Riparian Buffer Work Group: *Accomplished October 1998.*
- Obtain an Executive Order addressing riparian buffers on state-owned lands: *Accomplished in Governor Gilmore's Executive Order #48 signed August 1999.*
- Create Memorandum of Agreement between American Forests and the Department of Forestry: *Accomplished July 1999 with signed document between the Department of Forestry and American Forests. Used at State Fair and Fall River Renaissance.*
- Identify and agree on specific agency roles in the riparian buffer program: *Not accomplished at this time; may not be necessary to complete this goal.*
- Execute Memoranda of Agreements between participating agencies. *Not accomplished at this time; may not be necessary to complete this goal.*
- Begin coordinating with American Forests: *Accomplished with signing of the Memorandum of Agreement in July 1999. Further discussions planned during winter 1999-2000.*
- Designate Department of Forestry and Soil and Water Conservation Districts as Field Contacts: *Accomplished in October 1998 with the distribution of implementation plan and follow-up discussions with SWCD Field Offices.*
- Develop a riparian forest buffer source book to be reviewed and updated annually: *Not Accomplished. Working with contractor to create web page to serve this purpose. The web page should be available in January, 2000.*
- Initiate single progress tracking system: *Accomplished August, 1999 and housed within the Department of Forestry.*
- Develop a spot-check database: *Not accomplished. Will be considered within the next few months.*
- Begin annual progress reports to the Secretary of Natural Resources, Secretary of Commerce and Trade, and Governor: *Accomplished October 1999 with the distribution of this report.*

- Establish a program to coordinate and support volunteer activities: *Partially accomplished September 1999 with partnering effort with the Environmental Alliance for Senior Involvement (EASI). Also, the Adopt-a-Stream Program coordinates volunteers for stream restoration efforts.*

ENHANCE INCENTIVES

- Implement enabling legislation authorizing tax incentives for riparian forest buffer lands in easements: *Accomplished in July 1998 with H.B. 1419. The Department of Conservation and Recreation is developing model language for localities to adopt this legislation. Included in Water Quality Improvement Act for reimbursement to localities who adopt this legislation.*
- Seek enabling legislation to exempt riparian forest buffers from estate taxes: *Not accomplished.*
- Encourage localities to use stormwater utility fees for establishing riparian buffers: *Partially accomplished in September 1999.*
- Seek Conservation Reserve Enhancement Program (CREP) Funds from the U.S. Department of Agriculture: *Accomplished September 1999. Should be active program by November 1999.*
- Consolidate and improve cost-share programs: *Not accomplished except for CREP submittal to USDA.*
- Encourage flexibility in local subdivision and zoning requirements: *Partially accomplished in September 1999 with information transfer.*
- Promote expansion of local government land-use tools: *Partially accomplished in September 1999 with information transfer.*
- Seek increased funding for conservation through the Open Space Lands Preservation Trust Fund: *Not accomplished by the group.*
- Establish appropriate recognition programs: *Partially accomplished in August 1999. The Department of Conservation and Recreation began their watershed awards program honoring those individuals and groups who have inspired others in riparian conservation.*

PROMOTE EDUCATION AND OUTREACH

- Initiate a major public relations campaign with American Forests: *Partially accomplished in September 1999 with State Fair and Fall River Renaissance. Both activities used the American Forests Stream Releaf logo for advertising.*
- Enlist private sector support: *Not accomplished to any degree yet but will be focus in the Year 2000.*
- Assess the adequacy of riparian buffer information in existing curricula: *Partially accomplished in July 1999 with the preparation for the State Fair and Fall River Renaissance.*
- Promote activities of local watershed organizations: *Accomplished in May 1999. This is ongoing.*
- Increase demonstration areas in each tributary: *Not accomplished.*

- Provide public information through real estate companies and local Chambers of Commerce: *Not accomplished.*
- Continue cross-training among participating state and federal agencies: *Accomplished in May and September 1999.*
- Link buffer restoration data with the Virginia Geographic Information Network: *Partially accomplished in January and October 1999 with the Virginia Economic Development Partnership sharing data with the Department of Forestry and assisting with web page development.*

TARGETING, TRACKING AND RESEARCH

- Target buffer restoration efforts where the greatest benefits can be achieved: *Accomplished February 1999 with the continued use of the Penn State GIS data.*
- Establish a buffer tracking system: *Accomplished August 1999.*
- The work group will establish a multi-disciplinary research team: *Not accomplished. This will be one focus for the coming year.*

RESTORATION ACCOMPLISHMENTS

Appendix A shows the first sheet of the tracking system developed by Department of Forestry personnel. From October 1996 to November 1, 1999, the Commonwealth of Virginia has restored 157 miles of forest buffer, of which 135.2 miles are located within the Chesapeake Bay watershed. Figure 1 summarizes annual riparian buffer establishment for the Chesapeake Bay watershed and the remainder of the state. These forest buffer totals are well ahead of the Riparian Buffer Initiative goal of 80 miles by the beginning of the year 2000.

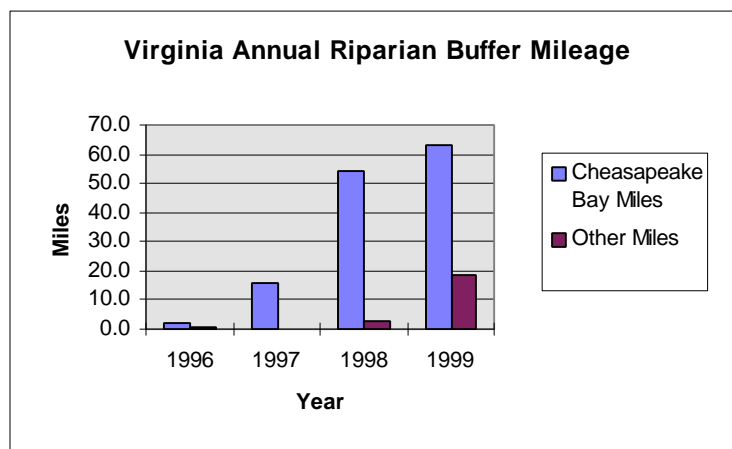


Figure 1. Annual Total Riparian Buffer Establishment Since 1996

Appendix A also contains 3 maps showing the extent of forest buffer establishment in the Commonwealth. A description of these 3 maps are as follows:

- Map 1 shows the extent of forest buffer established by county greater than 35 feet wide.
- Map 2 shows the point locations of riparian buffers with an average width less than 35 feet. These forest buffers do not meet the Virginia Riparian Initiative forest buffer criteria and were not counted towards the initiatives goal of 610 miles. The riparian buffer locations are overlaid on a Virginia hydrologic unit coverage demonstrating the percent of streams in each watershed that are buffered at least 100 feet. This coverage was created using the Penn State 100 foot buffer coverage for the Chesapeake Bay watershed.
- Map 3 demonstrates riparian buffer point locations that meet all the Riparian Buffer Initiative criteria for forest buffers. Buffer locations are again overlaid on a Virginia hydrologic unit coverage created from the Penn State riparian buffer data.

It is also important to note that a total of 59.4 miles of forest buffer less than the 35 feet minimum width as required by the Riparian Buffer Initiative, was also established since 1996.

FUTURE CONSIDERATIONS

The Virginia Riparian Working Group will continue to work closely to fulfill the goals and objectives of the Riparian Buffer Implementation Plan. One of the major considerations for the upcoming year is to seek buffer restoration on all appropriate state-owned lands.

A second major objective will be to document the location and extent of riparian easements across Virginia. This information provides valuable insight on other conservation objectives for the Commonwealth as well as assisting land conservation groups in locating suitable easement possibilities.

Lastly, the Working Group will continue to upgrade Virginia's nursery stock and supply to alleviate any potential shortfalls for seedlings. This will be accomplished by working with State and private nurseries by providing information about this program and its potential long-range seedling sales.

APPENDIX A

Riparian Buffer Database and Riparian Forest Buffer Maps